



APR 19 2005 TUE 02:51 PM FINNEGAN HENDERSON

FAX NO. 6508496666

P. 04

PATENT
Customer No. 22,852
Attorney Docket No. 7781.0035-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Heinz PAULY et al.

Application No.: 09/937,707

Filed: October 1, 2001

For: METHOD FOR DATA
MAINTENANCE IN A NETWORK OF
PARTIALLY REPLICATED
DATABASE SYSTEMS

)
)
) Group Art Unit: 2162

)
) Examiner: Jean M. CORRIELUS

)
) Confirmation No. 7021

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON EFFECTIVENESS OF NOTICE OF ALLOWANCE

Applicants thank the Examiner for entering the Supplemental Amendment After Final filed by facsimile on December 17, 2005,¹ in response to the Advisory Action mailed December 2, 2005. Applicants submit these comments to clarify why they are paying the issue fee, despite having filed a Request for Continued Examination on January 24, 2005.

After a conversation with the Examiner on January 11, 2005, Applicants' representative understood that the Examiner would inform Applicants of the status of

¹ The USPTO's PAIR website incorrectly lists the filing date as December 21, 2005. December 21, 2005, is the date Applicants sent courtesy copies to the Examiner by facsimile.

Customer No. 22,852
Application No.: 09/937,707
Attorney Docket No. 7781.0035-00

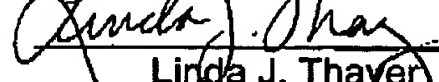
the application before the due date of the Appeal brief, January 24, 2005. When Applicants did not hear from the Examiner, Applicants filed a Request for Continued Examination on January 24, 2005, to ensure the Amendment After Final would be entered. As it turned out, the Examiner had already considered the Amendment After Final filed December 17, 2005, and entered it, as demonstrated by the date he signed the Notice of Allowance, January 20, 2005. Unfortunately, the Notice was not mailed until January 31, 2005, after the Request for Continued Examination had been filed.

As the Request for Continued Examination did not include any new amendments, arguments, or prior art references, the application, when allowed, was in the same state that it would have been had the Request for Continued Examination been entered prior to the Examiner's consideration of the Amendment After Final filed December 17, 2005. Thus, Applicants believe the Notice of Allowance is effective and are paying the issue fee in response.

Please grant any extensions of time required to enter these comments and charge any required fees to our Deposit Account No. 06-0916.

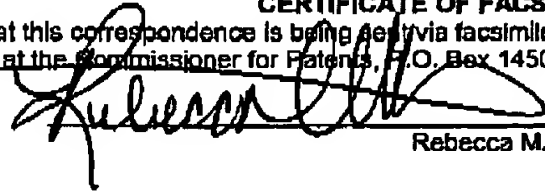
Respectfully submitted,
FINNEGAN, HENDERSON,
FARABOW, GARRETT & DUNNER,
L.L.P.

Dated: April 19, 2005

By: 
Linda J. Thayer
Reg. No. 45,681

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile on April 19, 2005, to the USPTO at facsimile number (703) 746-4000 located at the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Rebecca M. Whitejock